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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/340,478	06/30/1999	SANDEEP P. GOLIKERI	2204/151	3956

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EXAMINER

HARPER, KEVIN C

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 01/15/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/340,478

Applicant(s)

GOLIKERI ET AL.

Examiner

Kevin C. Harper

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 9, 15, 17-23, 25-31, 33, 34 and 36 is/are rejected.
- 7) ☒ Claim(s) 5-8, 16, 24, 32 and 35 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 10.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Response to Arguments

Applicant's arguments, see Paper No. 12, filed October 6, 2003, with respect to the rejection(s) of claim(s) 1-2, 9-15, 18-23, 26-31, 33-34 and 36 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Derby et al. (US 5,483,522). The indicated allowability of claims 3-4, 17 and 25 is withdrawn in view of the newly discovered reference(s) to Derby et al. Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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Claims 1, 3-4, 13-15, 17-19, 21-23, 25-27, 29-31, 33-34 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. (US 5,909,564) in view of Derby et al. (US 5,483,522) and Michels et al. (US 2003/00048864).

1. Regarding claims 1, 3-4, 13-15, 17-19, 21-23, 25-27, 29-31, 33-34 and 36, Alexander discloses a method for reporting information in a distributed communication system (Figure 2; col. 10, lines 37-40 and 44-48). Each address database includes locally owned address information and remotely owned information (col. 10, lines 44-50). The method comprises retrieving information from each distributed database (col. 10, lines 44-47) and reporting information (col. 10, lines 44-47). However, Alexander does not explicitly disclose that address information is exchanged. Derby discloses several distributed nodes that periodically exchange locally owned and remotely owned address information in order to provide proper network routing for data packets (Figure 6; col. 5, lines 30-32, 56-62 and 64-67). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to exchange locally owned and remotely owned address information in the invention of Alexander. Further, Alexander in view of Derby does not disclose sorting the retrieved address information. Michels discloses sorting cached MAC addresses (Figure 4A, para. 40, lines 9-14) in order to more easily utilize the data (para. 33). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to sort cached address information in the invention of Alexander in view of Derby. Further regarding claim 22-23, 26-27 and 33-34, the method operates on a computer readable medium (Alexander, col. 10, lines 57-61).

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Claims 2 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. in view of Derby et al. and Michels et al. as applied to claim 1 above, and further in view of Daruwalla et al. (US 6,128,296).

2. Regarding claims 2 and 9, Alexander in view of Derby and Michels does not disclose including learned interface identifiers nor learned module identifiers in a locally owned address information. Daruwalla discloses including learned module identifiers and learned interface identifiers in locally owned address information (Figure 1; Figure 2, item 29; Figure 3, packet transaction no. 3; col. 4, lines 50-54). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to include learned interface identifiers and learned module identifiers in locally owned address information in the invention of Alexander in view of Derby and Michels in order to properly route data packets to a proper destination within the network.

3. Regarding claim 10, Michels discloses that the sorting is performed by address-to-port mappings as noted in the rejection of claim 1 (Figure 4A).

Claims 11-12, 20 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. in view of Derby et al. and Michels et al. as applied to claim 1 above, and further in view of Akaboshi et al. (US 5,621,908).

4. Regarding claims 11-12, 20 and 28, Alexander in view of Derby and Michels does not disclose a parallel sort. Akaboshi discloses a parallel sort in order to perform a faster and more efficient sort (abstract; Figures 11-13 and 19-20). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to have a parallel sort in the invention of Alexander in view of Derby and Michels.

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Allowable Subject Matter

5. Claims 5-8, 16, 24, 32 and 35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Harper whose telephone number is 703-305-0139. The examiner can normally be reached weekdays, except Wednesday, from 9:30 AM to 8:00 PM ET.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao, can be reached at 703-308-5463. The fax number for Technology Center (TC) 2600 is 703-872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service Office for TC 2600 at 703-306-0377.

Kevin C. Harper



January 11, 2004


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